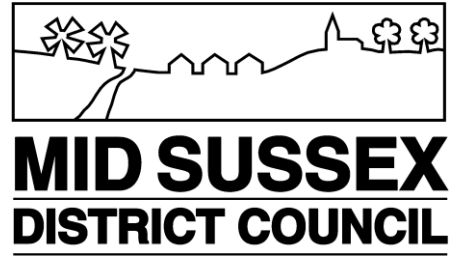


# Mid Sussex



Neighbourhood Plans  
Strategic Environmental Assessment

## Screening Report

June 2013

## 1. Introduction

This document comprises the Screening Report to determine whether or not the Neighbourhood Plans being prepared within the Mid Sussex District will require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

Whilst there are a number of Neighbourhood Plans being prepared in the District, this Screening Report is a blanket approach that covers all current and future Neighbourhood Plans.

## 2. Neighbourhood Plans and Relationship to the District Plan

Mid Sussex District Council is preparing a District Plan which will have a plan period 2011- 2031. At the time of writing, the District Plan has been approved by Council for submission to Government. The District Plan will contain a number of planning policies, with its overall strategy to provide jobs and homes for local people in order for the District to become more self-sufficient and reduce out-commuting, as well as policies to protect and enhance the environment. The District Plan itself has been subject to Sustainability Appraisal (incorporating Strategic Environmental Assessment) (SA/SEA).

In terms of the housing strategy, the District Council have taken a 'bottom-up' approach following the revocation of the South East Plan to determine the amount of housing needed over the plan period. This has involved setting an objectively assessed housing requirement for the District of 10,600 (530 per annum), and a strategy for how this is to be delivered.

The District Plan allocates two strategic sites in Burgess Hill (3,865). After deducting housing commitments (4,213) and completions in 2011/2012 (522), there is a shortfall of 2,000 dwellings that will need to be identified and planned for during the plan period. It has been decided that Neighbourhood Plans, being prepared by the Town and Parish Councils, will allocate this number by way of allocating specific sites for housing.

The District Council consulted the Town and Parish Councils that had indicated they would allocate housing within the Neighbourhood Plan, and confirmed the approximate scale of development they would be willing to allocate. This was published at Council on 27<sup>th</sup> June 2012.

Town / Parish Council	Approximate Scale of Development <sup>1</sup>
Albourne	15
Ansty and Staplefield	(strategic development at Burgess Hill)
Ardingly	30
Ashurst Wood	16
Balcombe	20
Bolney*	40
Burgess Hill	502
Cuckfield	30
East Grinstead	up to 190
Fulking*	5
Hassocks	tbc
Haywards Heath	550-800
Horsted Keynes	40
Hurstpierpoint and Sayers Common	160-200
Lindfield and Lindfield Rural	200

<sup>1</sup> In addition to existing commitments.

Poynings*	5
Pyecombe*	0
Slaugham	40-65
Turners Hill	40
Twineham	2
West Hoathly	55
Worth	up to 500
<b>TOTAL</b>	<b>1,750 – 2,755</b>

**Table 1:** Approximate Scale of Development within Neighbourhood Plans

\* Have not submitted a plan area as at April 2013

To date (April 2013) 19 Town and Parish Councils have an agreed plan area and have embarked on the process of preparing a Neighbourhood Plan.

Neighbourhood Plans can include planning policies and allocations of land for different uses. They can be produced by Town or Parish Councils in consultation with their communities, but must be consistent with legislation and national and local planning policies (for instance the National Planning Policy Framework and the District Plan). If more than 50% of the community that votes in a referendum says the Plan should be adopted, then decisions on future planning applications must take the Neighbourhood Plan into account as the Neighbourhood Plan will form part of the Development Plan for Mid Sussex.

### 3. Strategic Environmental Assessment (SEA)

Strategic Environmental Assessment (SEA) involves evaluation of the environmental impacts of a plan or programme. The requirement for SEA is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”. The SEA Directive sets out a legal assessment process that must be followed. Often within the planning context, the SEA requirements are met by incorporating it within a Sustainability Appraisal (SA), which is a requirement for Development Plan Documents.

Whilst it has been made clear (DCLG/PAS) that SA is not a requirement for Neighbourhood Plans, there is no harm in undertaking one as it can demonstrate the impact of the Neighbourhood Plan on social, environmental and economic factors and therefore demonstrate to an examiner that the plan that has been prepared is the most sustainable given all alternatives.

It is, however, less clear about the statutory requirement for SEA. The Planning Advice Service (PAS)<sup>2</sup> state that a Neighbourhood Plan may require SEA but it is dependant on the content of the Neighbourhood Plan. It is for the District Council to determine the need for Neighbourhood Plans to be assessed under SEA.

As the vast majority of Neighbourhood Plans in Mid Sussex will be looking to allocate land for housing and employment, which could have an impact on the environment, it seems wise to undertake SEA screening through this report in order to determine the requirement for SEA, and to ensure compliance with the Directive if they are required.

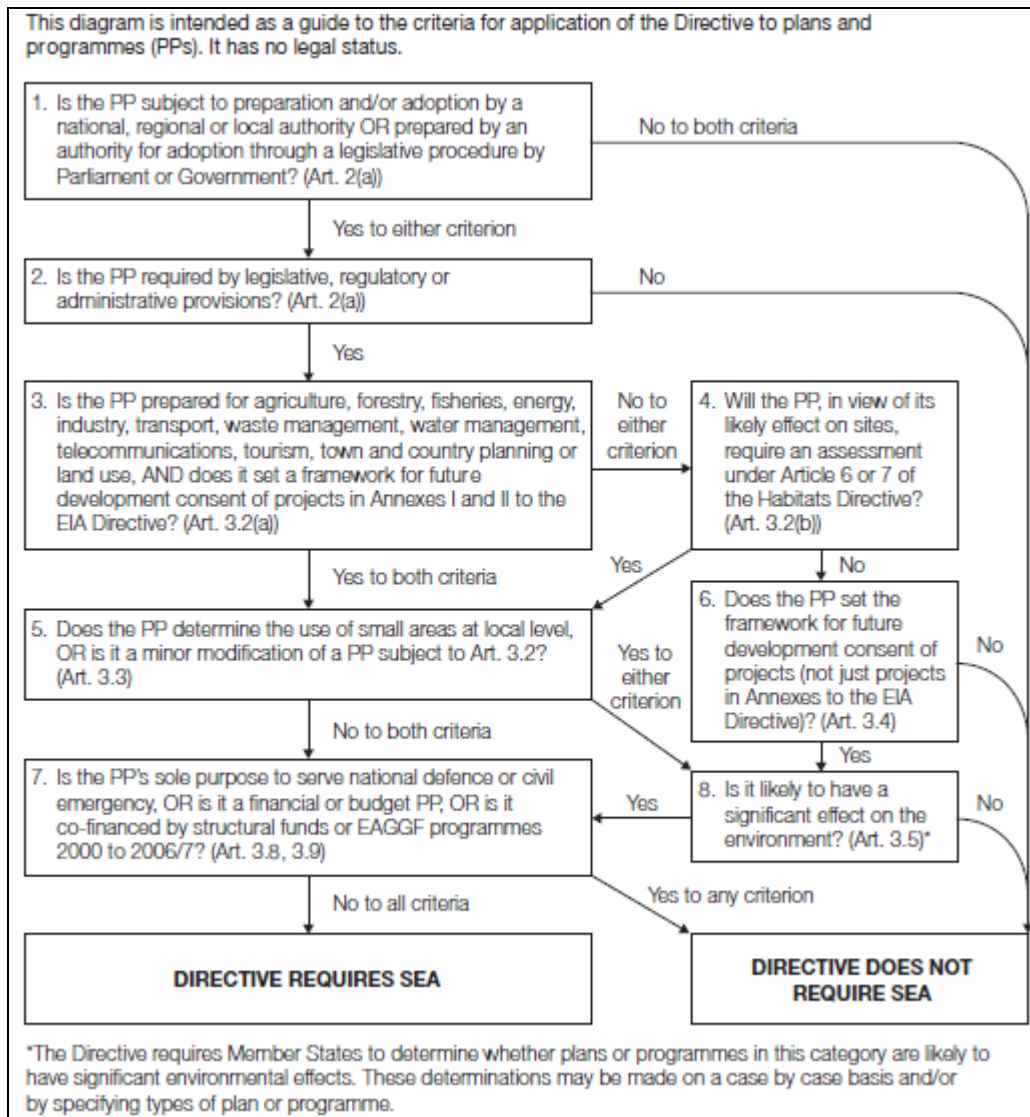
### 4. The Screening Process

The screening process is based upon consideration of standard criteria to determine whether the plan is likely to have “significant environmental effects”. The result of the screening process is included in section 5 of this report.

<sup>2</sup> <http://www.pas.gov.uk/pas/core/page.do?pageId=2997607> (as at April 2013)

The three consultation bodies (English Heritage, Environment Agency and Natural England) will be consulted to determine whether they agree with the conclusion of this report, in determining whether Neighbourhood Plans require SEA and whether they may have a “significant environmental effect”. Should it be determined by the local authority and consultation bodies that SEA does need to be undertaken, the Towns/Parishes preparing Neighbourhood Plans will need to undertake the Scoping stage of SEA.

The ODPM publication “A Practical Guide to the Strategic Environmental Assessment Directive” (2005) sets out the approach to be taken in order to determine whether SEA is required.



**Figure 1:** Application of the SEA Directive (from “A Practical Guide to the Strategic Environmental Assessment Directive”)

This approach has been taken in two parts, below. Part 1 follows the flow-chart outlined above, whilst Part 2 sets out whether it is considered that Neighbourhood Plans are likely to have a ‘significant effect on the environment’ (i.e. stage 8 of the above).

## Assessment Part 1 – Establishing the Need for SEA

<b>Table 2 - Establishing the Need for SEA</b>		
<b>Stage</b>	<b>Y/N</b>	<b>Justification</b>
<b>1.</b> Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by and authority for adoption through a legislative procedure by Parliament or Government (Art. 2(a))	<b>Y</b>	The Neighbourhood Plans, following successful referendum and examination, will form part of the statutory Development Plan for Mid Sussex.  <b>GO TO STAGE 2</b>
<b>2.</b> Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	<b>Y</b>	The Mid Sussex District Plan is required by legislative/regulatory provisions. The emerging District Plan itself relies on the Neighbourhood Plans to plan for 2,000 dwellings during the plan period (policy DP5).  <b>GO TO STAGE 3</b>
<b>3.</b> Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	<b>Y</b>	The Neighbourhood Plans are being prepared for town and country planning or land use, as they can allocate land for different uses such as housing and employment  As such they contain a framework for future development consent for urban development projects (which can include strategic housing sites) which is listed as 10b in Annex II of the EIA Directive.  <b>GO TO STAGE 5</b>
<b>4.</b> Will the PP, in view of its likely effect on sites, require and assessment for future development under Article 6 or 7 of the Habitats Directive (Art. 3.2(b))		<b>Not applicable</b>
<b>5.</b> Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	<b>Y</b>	The Neighbourhood Plans have the potential to allocate land for housing and employment. The vast majority will allocate land for housing within the plan area, as per the emerging District Plan policy DP5, therefore will determine the use of small areas at local levels within the District. Whilst the District Plan itself has been subject to SA/SEA, it did not appraise the individual locations and distribution of development across the various Neighbourhood Plan areas.  <b>GO TO STAGE 8</b>
<b>6.</b> Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art. 3.4)		<b>Not applicable</b>
<b>7.</b> Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-	<b>N</b>	The Neighbourhood Plans do not fall into any of the criteria listed for Stage 7.

financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)		<b>DIRECTIVE REQUIRES SEA</b>
<b>8.</b> Is it likely to have a significant effect on the environment? (Art. 3.5)	-	<b>See Assessment Part 2:</b>  <b>Y: GO TO STAGE 7</b> <b>N: DIRECTIVE DOES NOT REQUIRE SEA</b>

### Assessment Part 2 - Likely Significant Effects on the Environment

**Table 3 – Assessment of the Likely Significant Effects of Neighbourhood Plans**

SEA Directive Criteria	Response	Is there a likely significant environmental effect?
<b>1. The Characteristics of Plans and Programmes, having regard, in particular, to:</b>		
<b>1a)</b> The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	<p>The Neighbourhood Plans will allocate land for housing and employment. The District Plan relies on the various Neighbourhood Plans to do so as part of its Housing Strategy (District Plan policy DP5). This approach was subject to SA/SEA which accompanied the District Plan.</p> <p>The Neighbourhood Plan areas are spread across the whole Mid Sussex district. Each Neighbourhood Plan will allocate up to 800 dwellings dependant on location (see table 1). The location (specific sites) and distribution of this potential development was not appraised through the District Plan process as it has always been the intention that these matters will be dealt with at the local level, a ‘bottom-up’ approach.</p>	Y
<b>1b)</b> The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	Non-delivery of Neighbourhood Plans will affect the District Plan housing strategy. If Neighbourhood Plans do not deliver the 2,000 requirement set in the housing strategy, a subsequent Site Allocations DPD will need to be prepared by the District Council.	Y
<b>1c)</b> The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The National Planning Policy Framework (NPPF) and District Plan promote sustainable development, and the Neighbourhood Plans will need to accord with these higher level plans.	Y
<b>1d)</b> Environmental problems relevant to the plan or programme.	There are no specific environmental problems that are relevant to all of the Neighbourhood Plans. All will need to consider the impact of the plan on flood risk, designated sites (SPA/SAC, SSSI, SNCI, etc) and other primary and secondary impacts on the environment.	?

<b>1e)</b> The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The Neighbourhood Plans are not relevant to the implementation of EC legislation such as waste management or water protection, although will need to take the impact on the Water Framework Directive into account.	<b>N</b>
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>		
<b>2a)</b> The probability, duration, frequency and reversibility of the effects.	For Neighbourhood Plans allocating housing/employment sites, there will be short-term effect relating to development activity. There will also be long-term effects relevant to changes in land-use which may be positive but are likely to be negative for environmental factors.	<b>Y</b>
<b>2b)</b> The cumulative nature of the effects.	There are currently 19 Neighbourhood Plans in preparation, between them allocating land for 2,000 dwellings across the District. The cumulative nature of the individual plans could have an effect (positive or negative) on the environment, and specific locations were not appraised through the District Plan process.	<b>Y</b>
<b>2c)</b> The trans boundary nature of the effects.	There are not expected to be any significant trans-boundary effects.	<b>N</b>
<b>2d)</b> The risks to human health or the environment (e.g. due to accidents).	There are no significant risks to human health or the environment.	<b>N</b>
<b>2e)</b> The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The Neighbourhood Plan areas are spread across the whole Mid Sussex district. Each Neighbourhood Plan will allocate up to 800 dwellings dependant on location (see table 1). The locations range from small villages with populations in the hundreds, to three large towns with populations of circa 30,000.	<b>Y</b>
<b>2f)</b> The value and vulnerability of the area likely to be affected due to:		
<b>i)</b> special natural characteristics or cultural heritage.	Until specific locations for housing and employment are known, it is unclear what effect they will have on natural characteristics and cultural heritage. Many of the settlements in Mid Sussex contain listed buildings and ancient monuments, whilst the District in general is rural in nature with a wealth of biodiversity and natural habitats. It is likely, therefore, that development proposals may have an impact on environment.	<b>Y</b>
<b>ii)</b> exceeded environmental quality standards or limit values.	It is not expected for the development proposed in Neighbourhood Plans to exceed environmental quality standards or limit values. This is because the District Plan, in setting the figure of 2,000 homes to	<b>N</b>

	be identified in Neighbourhood Plans, has already been subject to SA/SEA and not identified any issues.	
iii) intensive land-use.	The allocations in Neighbourhood Plans should ensure that, whilst making efficient use of land, not to intensively use land for development. Other policies with the District Plan will mitigate against over-development.	N
2g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	Whilst there are no areas within Mid Sussex that are national, EC or internationally protected, the Ashdown Forest SPA/SAC European designation is sited in an adjacent authority area (Wealden) which effects the north-west of the District. Proposals in Neighbourhood Plans may impact upon this designated site, particularly proposals within 7km of the Ashdown Forest (as determined by the Habitats Regulations Assessment for the District Plan).	?
<b>Part 2 Overall Conclusion:</b>	Neighbourhood Plans are likely to have a significant effect on the Environment (go to Stage 7)	

## 5. Statement of Reasons for Determination

In reviewing the criteria in Part 1 and Part 2, the District Council is mindful of the following:

- The Neighbourhood Plans, in combination, will cover the vast majority of the District
- The Neighbourhood Plans, in total, will allocate land for 2,000 dwellings across the District in locations that have not yet been appraised through SEA.
- Whilst numbers have not been finally confirmed, it is anticipated that all Neighbourhood Plans will include at least one allocated site.
- The Neighbourhood Plans will also contain other planning policies and other allocated sites that may have an impact (either negatively or positively) on the environment.

As demonstrated by Part 1 and Part 2 above, it is considered by Mid Sussex District Council that **SEA will be required** for all Neighbourhood Plans that are allocated land for housing or employment. For those that are being prepared without such allocations, an individual screening report should be prepared by the District Council to ensure that it is fully understood whether SEA is required.

Whilst the District Plan itself has been subject to Sustainability Appraisal and Strategic Environmental Assessment, the Neighbourhood Plans go further by looking at specific sites for housing and employment. It is considered that the most rational approach would be for Neighbourhood Plans to be subject to SEA:

- as the assessment Parts 1 and 2 demonstrate that this should be the case.
- as a precautionary measure to ensure that the SEA Directive is met, if any element of the assessment in parts 1 and parts 2 is disagreed with
- to ensure that all site options are considered against environmental factors to ensure that the most sustainable site(s), in environmental terms, is delivered
- to provide evidence and justification that the Neighbourhood Plan has been prepared with sustainability at the forefront of its preparation, a key consideration of the National Planning Policy Framework.



A draft of this screening report was subject to consultation with the three statutory bodies (English Heritage, Environment Agency and Natural England) in May 2013. One response was received, from the Environment Agency, who agreed with the findings and conclusions of the draft screening report and agreed with the District Council's view that SEA would be required.

As this Screening Report concludes that SEA is required, the Neighbourhood Plan areas will now have to prepare a Scoping Report.